

Appl. No. 09/875,323

Amendment dated February 18, 2005

Reply to Non-Final Office Action of November 23, 2004

REMARKSRestriction:

Claims 4, 5 and 16-24 were to be withdrawn from further consideration herein as being drawn to non-elected inventions. However, in view of the Examiner's suggestion for amending claims 1, 11 and 16 in response to a rejection under 35 USC 112, first paragraph, the contents of claim 4 have been incorporated into claims 1, 11 and 16, and claims 5 and 16-24 have been amended accordingly.

Claims 25-32 are withdrawn.

Double Patenting:

Claims 1-3 and 6-15 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-3, 6-11, 16-21, 27, 31 and 32 of copending application serial no. 10/667,706.

In order to overcome this rejection, Applicants submit herewith a timely filed terminal disclaimer. The withdrawal of this rejection is therefore respectfully requested.

Rejections under 35 USC 112:

Claims 1-3 and 6-15 are rejected under 35 USC 112, first paragraph, for failure to comply with the enablement

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requirement of the statute. As pointed out by the Examiner, the presence of a polyol is necessary to cause the reaction between the epoxy resin and the anhydride. The Examiner suggested that the subject matter of claim 4 be incorporated into the texts of independent claims 1, 11 and 16. In accordance with the suggestion of the Examiner, Applicants have amended these claims accordingly.

As indicated by the Examiner, upon the submission of such an amendment, the restriction between claims 1-3 and 6-15 vs. claims 4 and 5 would be rescinded. Accordingly, as noted in the first paragraph of this Remarks section, the contents of claim 4 have been incorporated into claims 1, 11 and 16 and the dependency of claim 5 has been changed accordingly. Further, since the Examiner had suggested amending claim 16, as Applicants have done, it is assumed that this claim and those depending therefrom are not being withdrawn at this time. If Applicants' assumption is incorrect, clarification is kindly requested.

Claims 1-3 and 6-11 are rejected under 35 USC 112, second paragraph, as being indefinite. It is noted that "said molding compound" in claim 1 lacks antecedent basis. Accordingly, claim 1 has been amended by deleting the term "molding compound" and inserting in its place "composition of matter".

The Examiner has rejected under this section claims 1, 2 and 7 for employing the term "epoxy component" and claim 15 for using the term "epoxy compound" in a manner

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inconsistent with respect both to recitation in the claims and the specification at page 5, paragraph 20. Applicants respectfully request the withdrawal of this rejection. These claims have been amended by replacing "compound" and "component" with the term "resin", in concert with the disclosure in paragraph 20 of the specification.

**Rejections under 35 USC 103:**

Claims 1, 3 and 6-15 are rejected under 35 USC 103(a) as being unpatentable over Rubinsztajn Patent Nos. 6,617,401 and 6,632,892; and Shaddock, No. 6,518,600; and JP Patent No. 52-15539.

Claim 2 is rejected under 35 USC 103(a) as being unpatentable over the rejection set forth above and further in view of Fetscher et al., U.S. No. 3,849,383; and Landers, Jr. et al., U.S. No. 6,246,123; and Shimada, U.S. No. 6,713,571.

Claims 1-3 and 6-15 are rejected under 35 USC 103(a) as being unpatentable over Shimada in view of Rubinsztajn '401 and Shaddock.

Applicants respectfully submit that the foregoing rejections are improper and should be withdrawn in view of the fact that both of the patents to Rubinsztajn were filed after the filing date of the present application. Specifically, the patent application that matured into the '401 patent was filed on Aug. 23, 2001 and the patent

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Amendment dated February 16, 2005

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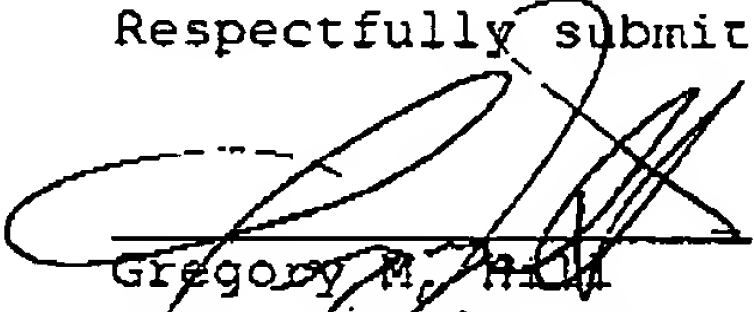
application that matured into the '892 patent was filed on Aug. 21, 2001. The present application has a priority filing date of June 6, 2001, which pre-dates the filing dates of these references.

Since the rejections are based, at least in part, upon one or both of the Rubinsztajn patents, it is Applicants' position that the rejections are improper. It is believed therefore that no comments pertaining to any of the cited references are required at this time. Applicants accordingly respectfully request the withdrawal of all rejections under 35 USC 103(a).

#### CONCLUSION

In view of the amendments and remarks above, Applicants ask for reconsideration and allowance of all pending claims. Should any fees be due for entry and consideration of this Amendment that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 01-1250.

Respectfully submitted,

  
Gregory M. Hill  
(Reg. No. 31,369)  
Attorney for Applicants  
610-278-4964

GMH/img

Henkel Corporation  
Patent Law Department  
2200 Renaissance Blvd., Suite 200  
Gulph Mills, PA 19406